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David Minodier

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EXAMINER

JOHN, CLARENCE

ART UNIT

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2443

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/598,595

**Applicant(s)**

MINODIER ET AL.

**Examiner**

CLARENCE JOHN

**Art Unit**

2443

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 December 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-13, 15 and 16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13, 15 and 16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-945)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 11/4/2010
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Status of Claims***

This action is responsive to communication filed on December 3, 2010. Claims 1-13, 15-16 are pending.

### ***Response to Remarks / Arguments***

Applicant's arguments filed on November 3, 2010 have been fully considered but they are **moot** in view of the new ground of rejection by Grobman (US 2004/0093519) in further view of Kelley et al. (US 2005/0129231).

### ***Claim Objections***

Claims 11 and 16 are objected to because of the following informalities: Claims 11 and 16 have spelling errors where "authorization" is spelled as "authorisation". Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 11 and 16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding Claims 11 and 16, ¶ 7.34.16 Rejections Under 35 U.S.C. 112, Second Paragraph, the Phrase "**Means**" is used, but unclear whether the recited Structure, Material, or Acts in the Claims are sufficient for Performing the Claimed Function.

**The Specification does not appear to include the corresponding algorithm for performing the "means" functions recited in the above Claim(s).**

If applicant wishes to have the claim limitation treated under 35 U.S.C. 112, sixth paragraph, applicant is required to amend the claim so that the phrase "means for" or "step for" is clearly not modified by sufficient structure, material, or acts for performing the claimed function.

If applicant does not wish to have the claim limitation treated under 35 U.S.C. 112, sixth paragraph, applicant is required to amend the claim so that it will clearly not be a means (or step) plus function limitation (e.g., deleting the phrase "means for or "step for).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1, 2 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weinstein et al (US 2002/0191572) in view of Grobman (US 2004/0093519) in further view of Kelley et al. (US 2005/0129231).
2. With respect to Claim 1, Weinstein teaches a method of authenticating a telecommunication terminal called client for access to at least one virtual network, (Figure 9, Page 3, paragraph [0021] lines 1-18, Page 6, paragraph [0069] lines 1-9); the or each virtual network being set up on a telecommunication network; wherein an authentication network is set up on said telecommunication network, (Page 2 – paragraph [0017]); said authentication network being different from the or each virtual network (Page 4 – paragraph [0042] lines 16-21); said client comprising software (Page 2 – paragraph [0020] lines 1-7); and when said software and predetermined access control protocol for access to said at least one virtual network are compatible (Page 3 – paragraph [0030], Figure 7, paragraph [0035]); said client being able to access services of at least one service provider via the at least one virtual network (Page 3 – paragraph [0031], Figure 8A, Figure 8B, Page 4 – paragraph [0042] lines 1-7).
3. Weinstein teaches the limitations of Claim 1 as stated above. However, Weinstein does not explicitly state about when software and predetermined access control protocol are not compatible, the method comprises an authentication for accessing services to which the client has subscribed; and

information which makes it possible to make the software of the client compatible with the predetermined access control protocol.

4. Conversely, Grobman teaches the above limitations. Grobman teaches a system for authenticating a outside client to access the services of a system. Grobman also teaches authenticating a client to access services when software and predetermined access control protocol are not compatible. (Page 1, paragraph [0013], Page 2 – paragraph [0019]. Here the application operates to convert or transcode between authentication systems in order to allow a new incompatible protocol and forward he credentials in order to be authenticated. The application may alter or change the credentials before forwarding them according to the new incompatible protocol).
5. Weinstein and Grobman have common grounds of client server communication, accessing and exchanging data resources involving access protocols and software compatibility. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Grobman with Weinstein by implementing a system where the client with incompatible protocol is authenticated internally after verifying security credentials even before accessing the external system.
6. Weinstein and Grobman teach the limitations of Claim 1 as stated above., However, Weinstein and Grobman do not explicitly state and wherein said authentication network comprises an address server and at least one subscription system for allowing said client to subscribe to said at least one

service provider, said address server transmits to the client an address for accessing said at least one subscription system; upon reception of said address, the client accesses said at least one subscription system and subscribes to said at least one service provider; upon detection of the subscription of the client, said at least one subscription system and subscribes to said at least one service provider ; upon detection of the subscription of the client said at least one subscription system transfers to the client.

7. Conversely, Kelley teaches the above limitation. Kelley teaches a method and apparatus for broadcast services, transmission and reception for a client in a subscription system and authenticating the client to access the services. Kelley also teaches a network comprising an address server (Page 1 – paragraph [0014], Figure 6 – Content Server, Page 3 – paragraph [0045] lines 1-4); and at least one subscription system (Page 1 – paragraph [0023], paragraph [0026], [paragraph [0027], Page 10 – paragraph [0104], Figure 15 and Figure 18); for allowing said client to subscribe to said at least one service provider (Page 2 – paragraph [0038] lines 11-20, Page 5 – paragraph [0057] lines 1-18); upon reception of said address the client accesses said at least one subscription system and subscribes to said at least one service provider (Page 2 – paragraph [0033], Page 4 – paragraph [0050] lines 21-24, Page 5 – paragraph [0057] lines 1-18); upon detection of the subscription of the client said at least one subscription system and subscribes to said at least one service provider ; (Page 3 – paragraph [0043] lines 1-3, Page 5 – paragraph [0057] lines 1-18, paragraph

[0059] lines 8-16. Here, once the users registers for the subscription services, the user is authenticated to use the services of the service provider) ; upon detection of the subscription of the client said at least one subscription system transfers to the client. (Page 5 – paragraph [0057] lines 18-29).

8. Weinstein, Grobman and Kelley have common grounds of client server communication in accessing and exchanging data resources. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Kelley with Weinstein and Grobman by implementing a subscription system where clients can be authenticated to access services from a service provider by means of an encryption key in order to maintain security and unique identification.
9. With respect to Claim 2, Weinstein, Grobman and Kelley teach a method according to Claim 1 wherein the authentication network is a virtual network or a network that is separate from the telecommunication network. (Weinstein's teachings on Page 5, paragraph [0055] and [0056]. Figure 3A. Here the virtual operator network is different from mobile network).
10. With respect to Claim 11, Weinstein teaches a system for authenticating a telecommunication terminal called client for access to at least one virtual network, (Figure 9, Page 3, paragraph [0021] lines 1-18, Page 6, paragraph [0069] lines 1-9); said client comprising software (Page 2 – paragraph [0020]



lines 1-7); and when said software and predetermined access control protocol for access to said at least one virtual network are compatible (Page 3 – paragraph [0030], Figure 7, paragraph [0035]); said client being able to access services of at least one service provider via the at least one virtual network (Page 3 – paragraph [0031], Figure 8A, Figure 8B, Page 4 – paragraph [0042] lines 1-7). the **or** each virtual network being set up on a telecommunication network (Page 2 – paragraph [0017]), the system comprising:

11. authorization means comprising an authentication network set up on a said telecommunication network; (Page 2 – paragraph [0017]); said authentication network being different from the or each virtual network (Page 4 – paragraph [0042] lines 16-21).
12. Weinstein teaches the limitations of Claim 11 as stated above. However, Weinstein does not explicitly state about when software and predetermined access control protocol are not compatible, the method comprises an authentication for accessing services to which the client has subscribed; and information which makes it possible to make the software of the client compatible with the predetermined access control protocol.
13. Conversely, Grobman teaches the above limitations. Grobman teaches a system for authenticating a outside client to access the services of a system. Grobman also teaches authenticating a client to access services when software and predetermined access control protocol are not compatible. (Page 1, paragraph [0013], Page 2 – paragraph [0019]. Here the application operates to convert or

transcode between authentication systems in order to allow a new incompatible protocol and forward the credentials in order to be authenticated. The application may alter or change the credentials before forwarding them according to the new incompatible protocol).

14. Weinstein and Grobman have common grounds of client server communication, accessing and exchanging data resources involving access protocols and software compatibility. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Grobman with Weinstein by implementing a system where the client with incompatible protocol is authenticated internally after verifying security credentials even before accessing the external system.
15. Weinstein and Grobman teach the limitations of Claim 11 as stated above., However, Weinstein and Grobman do not explicitly state and wherein said authentication network comprising an address server means and at least one subscribing means for allowing said client to subscribe to said at least one service provider, said address server means transmits to the client an address for accessing said at least one subscribing means; upon reception of said address, the client accesses said at least one subscribing means and subscribes to said at least one service provider; upon detection of the subscription of the client, said at least one subscribing means and subscribes to said at least one service provider ; upon detection of the subscription of the client, said at least one subscribing means transfers to said client.

16. Conversely, Kelley teaches the above limitation. Kelley teaches a method and apparatus for broadcast services, transmission and reception for a client in a subscription system and authenticating the client to access the services. Kelley also teaches a network comprising an address server (Page 1 – paragraph [0014], Figure 6 – Content Server, Page 3 – paragraph [0045] lines 1-4); and at least one subscription system (Page 1 – paragraph [0023], paragraph [0026], [paragraph [0027], Page 10 – paragraph [0104], Figure 15 and Figure 18); for allowing said client to subscribe to said at least one service provider (Page 2 – paragraph [0038] lines 11-20, Page 5 – paragraph [0057] lines 1-18); upon reception of said address the client accesses said at least one subscription system and subscribes to said at least one service provider (Page 2 – paragraph [0033], Page 4 – paragraph [0050] lines 21-24, Page 5 – paragraph [0057] lines 1-18); upon detection of the subscription of the client said at least one subscription system and subscribes to said at least one service provider ; (Page 3 – paragraph [0043] lines 1-3, Page 5 – paragraph [0057] lines 1-18, paragraph [0059] lines 8-16. Here, once the users registers for the subscription services, the user is authenticated to use the services of the service provider) ; upon detection of the subscription of the client said at least one subscription system transfers to the client. (Page 5 – paragraph [0057] lines 18-29).
17. Weinstein, Grobman and Kelley have common grounds of client server communication in accessing and exchanging data resources. It would have been obvious to a person of ordinary skill in the art at the time the invention was

made to have combined the teachings of Kelley with Weinstein and Grobman by implementing a subscription system where clients can be authenticated to access services from a service provider by means of an encryption key in order to maintain security and unique identification.

18. Claims 3-9, 12, 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weinstein, Grobman and Kelley in further view of Prasad et al. (US 7,197,125).
19. With respect to Claim 3, Weinstein, Grobman and Kelley teach the limitations of Claim 1 as described above. However, Weinstein, Grobman and Kelley do not explicitly state wherein the subscription system includes of at least one subscription portal, (Figure 1, block 104) an authentication material server (Figure 1, block 106) and, where-in response to the client subscribing subscribes to a service, (Figure 2A, block 2-009); the subscription portal transfers to an authentication server data associated with the authentication transferred to the client. (Figure 2A - blocks 2-001 to 2-004 and Figure 2B - block 2-015).
20. Conversely Prasad does in fact teach such a limitation. Prasad teaches a method for modifying a subscription of a subscriber to a telecommunication service in a communication network with access protocols, authenticating and authorizing users to access resources via a communication network. Prasad also teaches in the subscription system which includes of at least one subscription portal, (Figure

1, block 104) an authentication material server (Figure 1, block 106) and, where-  
in response to the client subscribing subscribes to a service, (Figure 2A, block 2-  
009); the subscription portal transfers to an authentication server data associated  
with the authentication transferred to the client. (Figure 2A - blocks 2-001 to 2-  
004 and Figure 2B - block 2-015).

21. Weinstein, Grobman and Kelley have common grounds of client server communication, accessing and exchanging data resources involving access protocols with software compatibility. Prasad also teaches client server communication with access protocols and accessing and sharing resources.
22. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Prasad with Weinstein, Grobman and Kelley by implementing an improved service selection and management system which provides authentication functions to users regardless of any service they subscribe to.
23. With respect to Claim 4, Weinstein, Grobman, Kelley and Prasad teach the limitations of Claim 3 as described above. However, Weinstein, Grobman and Kelley do not explicitly state wherein the client is connected to the network via a Digital Subscriber Line Access Multiplexor performing the steps of obtaining an identifier and a client authentication confirmation from the authentication server.
24. Conversely Prasad does in fact teach such a limitation. Prasad teaches wherein the client is connected to the network via a Digital Subscriber Line Access

Multiplexor (Column 18, lines 24-29, Figure 7- block 718) and, if the client is compatible with the predetermined access control protocol the Digital Subscriber Line Access Multiplexer performs the steps of obtaining an identifier and a client authentication material (Column 17, lines 5-11, Column 8, lines 49-55. Figure 2A block 2006. Here the command selections to the processor include the steps of obtaining a username and authentication quality) and of obtaining a client authentication confirmation from the authentication server (Column 8, lines 11-17 and Figure 2A, blocks 2-003 and 2-004).

25. Weinstein, Grobman and Kelley have common grounds of client server communication, accessing and exchanging data resources involving access protocols with software compatibility. Prasad also teaches client server communication with access protocols and accessing and sharing resources.
26. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Prasad with Weinstein, Grobman and Kelley by implementing an improved service selection and management system which provides authentication functions to users regardless of any service they subscribe to.
27. With respect to Claim 5, Weinstein, Grobman, Kelley and Prasad teach the limitations of Claim 4 as described above. However, Weinstein, Grobman and Prasad do not explicitly state if the authentication server does not confirm the authentication of the client, the method comprises a step of authorizing data

transfer between the client and at least one subscription system which allows the client to access the services of the or each service provider.

28. Conversely, Kelley teaches the above limitation. Kelley teaches a method and apparatus for broadcast services, transmission and reception for a client in a subscription system and authenticating the client to access the services. Kelley also teaches authorizing data transfer between the client and at least one subscription system (Page 1 – paragraph [0023], paragraph [0026], [paragraph [0027], Page 10 – paragraph [0104], Figure 15 and Figure 18); which allows the client to access the services of the or each service provider (Page 2 – paragraph [0033], Page 4 – paragraph [0050] lines 21-24, Page 5 – paragraph [0057] lines 1-18).

29. Weinstein, Grobman and Kelley have common grounds of client server communication in accessing and exchanging data resources. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Kelley with Weinstein, Grobman and Prasad by implementing a subscription system where clients can be authenticated to access services from a service provider by means of an encryption key in order to maintain security and unique identification.

30. With respect to Claim 6, Weinstein, Grobman and Kelley teach the limitations of Claim 3 as described above. However, Weinstein, Grobman and Kelley do not explicitly state a method according to Claim 3, wherein there is a transfer to

the authentication server of information associated with the service provider to which the client is subscribed and/or information characterizing the service to which the client is subscribed.

31. Conversely Prasad does in fact teach such a limitation. Prasad teaches a method for modifying a subscription of a subscriber to a telecommunication service in a communication network with access protocols, authenticating and authorizing users to access resources via a communication network. Prasad also teaches about a transfer to the authentication server of information associated with the service provider to which the client is subscribed and/or information characterizing the service to which the client is subscribed.

32. (Prasad - Column 10, lines 4 – 29, Fig 2B - blocks 2-014 through 2-017. This shows the information to which the client is subscribed).

33. Weinstein, Grobman and Kelley have common grounds of client server communication, accessing and exchanging data resources involving access protocols with software compatibility. Prasad also teaches client server communication with access protocols and accessing and sharing resources.

34. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Prasad with Weinstein, Grobman and Kelley by implementing an improved service selection and management system which provides authentication functions to users regardless of any service they subscribe to.



35. With respect to Claim 7, Weinstein, Grobman, Kelley and Prasad teach the limitations of Claim 6 as described above. However, Weinstein, Grobman and Kelley do not explicitly state wherein the authentication server additionally transfers to the Digital Subscriber Line Access Multiplexer the information, associated with the service provider to which the client is a client and/or the information relating to the service or services to which the client is subscribed.
36. Conversely Prasad does in fact teach such a limitation. Prasad teaches a method for modifying a subscription of a subscriber to a telecommunication service in a communication network with access protocols, authenticating and authorizing users to access resources via a communication network. Prasad also teaches about an authentication server additionally transfers to the Digital Subscriber Line Access Multiplexer the information, associated with the service provider to which the client is a client and/or the information relating to the service or services to which the client is subscribed. (Prasad's teachings on Figure 2A blocks 2-006 through 2-011 and Figure 2B blocks 2-012 through 2-017 and Figure 4A blocks 4-007 through 4-009. Here the authentication server transfers all information to the service provider to which the client is subscribed).
37. Weinstein, Grobman and Kelley have common grounds of client server communication, accessing and exchanging data resources involving access protocols with software compatibility. Prasad also teaches client server communication with access protocols and accessing and sharing resources.

38. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Prasad with Weinstein, Grobman and Kelley by implementing an improved service selection and management system which provides authentication functions to users regardless of any service they subscribe to.
39. With respect to Claim 8, Weinstein, Grobman, Kelley and Prasad teach the limitations of Claim 7 as described above. However, Weinstein, Grobman and Kelley do not explicitly state about the Digital Subscriber Line Access Multiplexer authorizes data transfer between the virtual network which allows the client to access the services of the service provider.
40. Conversely Prasad does in fact teach such a limitation. Prasad teaches a method for modifying a subscription of a subscriber to a telecommunication service in a communication network with access protocols, authenticating and authorizing users to access resources via a communication network. Prasad also teaches the Digital Subscriber Line Access Multiplexer authorizes data transfer between the virtual network which allows the client to access the services of the service provider. (Prasad's teachings on Figure 4A, blocks 4-004 and 4-011. Here the client's data is transferred to the service provider for the client to access the services to which the client is subscribed according to the communication speeds to which the client is subscribed).

41. Weinstein, Grobman and Kelley have common grounds of client server communication, accessing and exchanging data resources involving access protocols with software compatibility. Prasad also teaches client server communication with access protocols and accessing and sharing resources.
42. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Prasad with Weinstein, Grobman and Kelley by implementing an improved service selection and management system which provides authentication functions to users regardless of any service they subscribe to.
43. With respect to Claim 9, Weinstein, Grobman and Kelley teach the limitations of Claim 1 as described above. However, Weinstein, Grobman and Kelley do not explicitly state wherein an address server is also associated with the virtual authentication network.
44. Conversely Prasad does in fact teach such a limitation. Prasad teaches a method for modifying a subscription of a subscriber to a telecommunication service in a communication network with access protocols, authenticating and authorizing users to access resources via a communication network. Prasad also teaches wherein an address server is also associated with the virtual authentication network. (Column 19, lines 60-61, Column 20, lines 31-34); and the address server allocates an address to the client for data transfer on the virtual authentication network. (Column 7, lines 16-18).

45. Weinstein, Grobman and Kelley have common grounds of client server communication, accessing and exchanging data resources involving access protocols with software compatibility. Prasad also teaches client server communication with access protocols and accessing and sharing resources.
46. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Prasad with Weinstein, Grobman and Kelley by implementing an improved service selection and management system which provides authentication functions to users regardless of any service they subscribe to.
47. With respect to Claim 12, Weinstein teaches a method of authenticating a telecommunication terminal called client for access to at least one virtual network, (Figure 9, Page 3, paragraph [0021] lines 1-18, Page 6, paragraph [0069] lines 1-9); the or each virtual network being set up on a telecommunication network; wherein an authentication network is set up on said telecommunication network, (Page 2 – paragraph [0017]); said authentication network being different from the or each virtual network (Page 4 – paragraph [0042] lines 16-21); said client comprising software (Page 2 – paragraph [0020] lines 1-7); and when said software and predetermined access control protocol for access to said at least one virtual network are compatible (Page 3 – paragraph [0030], Figure 7, paragraph [0035]); said client being able to access services of

at least one service provider via the at least one virtual network (Page 3 – paragraph [0031], Figure 8A, Figure 8B, Page 4 – paragraph [0042] lines 1-7).

48. Weinstein teaches the limitations of Claim 12 as stated above. However, Weinstein does not explicitly state about when software and predetermined access control protocol are not compatible, the method comprises an authentication for accessing services to which the client has subscribed; and information which makes it possible to make the software of the client compatible with the predetermined access control protocol.
49. Conversely, Grobman teaches the above limitations. Grobman teaches a system for authenticating a outside client to access the services of a system. Grobman also teaches authenticating a client to access services when software and predetermined access control protocol are not compatible. (Page 1, paragraph [0013], Page 2 – paragraph [0019]. Here the application operates to convert or transcode between authentication systems in order to allow a new incompatible protocol and forward he credentials in order to be authenticated. The application may alter or change the credentials before forwarding them according to the new incompatible protocol).
50. Weinstein and Grobman have common grounds of client server communication, accessing and exchanging data resources involving access protocols and software compatibility. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Grobman with Weinstein by implementing a system where the client with

incompatible protocol is authenticated internally after verifying security credentials even before accessing the external system.

51. Weinstein and Grobman teach the limitations of Claim 12 as stated above., However, Weinstein and Grobman do not explicitly state and wherein said authentication network comprises an address server and at least one subscription system for allowing said client to subscribe to said at least one service provider, said address server transmits to the client an address for accessing said at least one subscription system; upon reception of said address, the client accesses said at least one subscription system and subscribes to said at least one service provider; upon detection of the subscription of the client, said at least one subscription system and subscribes to said at least one service provider ; upon detection of the subscription of the client said at least one subscription system transfers to the client.
52. Conversely, Kelley teaches the above limitation. Kelley teaches a method and apparatus for broadcast services, transmission and reception for a client in a subscription system and authenticating the client to access the services. Kelley also teaches a network comprising an address server (Page 1 – paragraph [0014], Figure 6 – Content Server, Page 3 – paragraph [0045] lines 1-4); and at least one subscription system (Page 1 – paragraph [0023], paragraph [0026], [paragraph [0027], Page 10 – paragraph [0104], Figure 15 and Figure 18); for allowing said client to subscribe to said at least one service provider (Page 2 – paragraph [0038] lines 11-20, Page 5 – paragraph [0057] lines 1-18); upon

reception of said address the client accesses said at least one subscription system and subscribes to said at least one service provider (Page 2 – paragraph [0033], Page 4 – paragraph [0050] lines 21-24, Page 5 – paragraph [0057] lines 1-18); upon detection of the subscription of the client said at least one subscription system and subscribes to said at least one service provider ; (Page 3 – paragraph [0043] lines 1-3, Page 5 – paragraph [0057] lines 1-18, paragraph [0059] lines 8-16. Here, once the users registers for the subscription services, the user is authenticated to use the services of the service provider) ; upon detection of the subscription of the client said at least one subscription system transfers to the client. (Page 5 – paragraph [0057] lines 18-29).

53. Weinstein, Grobman and Kelley have common grounds of client server communication in accessing and exchanging data resources. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Kelley with Weinstein and Grobman by implementing a subscription system where clients can be authenticated to access services from a service provider by means of an encryption key in order to maintain security and unique identification.

54. With respect to Claim 15, Weinstein, Grobman and Kelley teach the limitations of Claim 1 as described above. However, Weinstein, Grobman and Kelley do not explicitly state wherein the method comprises authenticating the client to the services of plural service providers via plural virtual networks and comprises if

the software of the client and predetermined access control protocol are not compatible, authorizing data transfer between the client and plural subscription systems for subscribing the client to plural service providers via the authentication network that allows the client to access the services of each service provider.

55. Conversely Prasad does in fact teach such a limitation. Prasad teaches a method for modifying a subscription of a subscriber to a telecommunication service in a communication network with access protocols, authenticating and authorizing users to access resources via a communication network. Prasad also teaches the method which authenticates the client to the services of plural service providers via plural virtual networks (Figure 2A blocks 2-001 through 2-004, Column 8, lines 1-23. Here the client is authenticated upon successful verification); wherein if the software of the client is not compatible with the predetermined access control protocol, authorizing data transfer between the client and plural subscription systems for subscribing the client to plural service providers via the authentication network which allows the client to access the services of each service provider. (Column 2, lines 35-54. Column 18, lines 36-42. Figure 5B. Figure 7 - ISP 726. Here, when the subscription of the client is modified, the client is not compatible with the network and data is transferred to the client by the authenticated network).
56. Weinstein, Grobman and Kelley have common grounds of client server communication, accessing and exchanging data resources involving access



protocols with software compatibility. Prasad also teaches client server communication with access protocols and accessing and sharing resources.

57. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Prasad with Weinstein, Grobman and Kelley by implementing an improved service selection and management system which provides authentication functions to users regardless of any service they subscribe to.

58. With respect to Claim 16, Weinstein, Grobman and Kelley teach the limitations of Claim 11 as described above. However, Weinstein, Grobman and Kelley do not explicitly state the limitations as stated in Claim 16.

59. Conversely Prasad does in fact teach such limitations. Prasad teaches a method for modifying a subscription of a subscriber to a telecommunication service in a communication network with access protocols, authenticating and authorizing users to access resources via a communication network. Prasad also teaches wherein the system is arranged for accessing plural virtual networks for allowing the client to access plural service providers and each virtual network is set up on the telecommunication network, (Prasad - Figure 2A, blocks 2-008 through 2-011, Figure 2B, blocks 2-012 through 2-014); wherein: (a) the authorization means is arranged for subscription systems, (Prasad - Figure 5B. Here the user credentials are verified in order to access subscription systems); (b) the subscribing means is arranged for subscribing plural service providers via the

network, (Prasad - Figure 2A blocks 2-001 through 2-004, Column 8, lines 1-23.

Here the client who has subscribed to access service providers are authenticated upon successful verification of their credentials) and (c) the transfer means is arranged for transferring to the new compatible client, if the non-compatible client subscribes to plural service providers. (Prasad - Column 5, lines 59-67, Column 6, lines 1-2. Figure 1, Block 114. Here the non compatible client is authenticated to use the services of the service provider).

60. Weinstein, Grobman and Kelley have common grounds of client server communication, accessing and exchanging data resources involving access protocols with software compatibility. Prasad also teaches client server communication with access protocols and accessing and sharing resources.
61. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Prasad with Weinstein, Grobman and Kelley by implementing an improved service selection and management system which provides authentication functions to users regardless of any service they subscribe to.
62. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Weinstein, Grobman and Kelley in further view of Addington et al. (US 7,194,756).

63. With respect to Claim 10, Weinstein, Grobman and Kelley teach the limitations of Claim 1 as described above. However Weinstein, Grobman and Kelley do not explicitly state about teaching a method according to Claim 1, wherein the telecommunication network is a high-speed network based on Ethernet technology, and wherein the predetermined access control protocol is a protocol of the IEEE 802.1x type, and the clients are connected to the Digital Subscriber Line Access Multiplexer via connections of the DSL type.
64. Conversely, Addington teaches such a limitation where the telecommunication network which he uses is a high speed network based on Ethernet technology, (Column 55, lines 61-67) and the predetermined access control protocol is a protocol of the IEEE 802.11b (Column 56, lines 1-4 and Figure 22, block 1556).
65. Weinstein, Grobman and Kelley have common grounds of client server communication, accessing and exchanging data resources involving access protocols with software compatibility. Addington teaches digital communication network involving subscription services using IP Protocol. All references teach communication networks using IP Protocols.
66. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Addington with Weinstein, Grobman and Kelley in order to have high speed wireless data access from the network to the user's computer. (Addington's teachings on Column 55, lines 61-67 and Column 56, lines 1-4).

67. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Prasad in view of Addington.

68. With respect to Claim 13, Prasad teaches a Digital Subscriber Line Access Multiplexor which allows at least one client to access the services of at least one service provider, (Prasad's teachings on Figure 4A, block 4-001 through 4-004); the client line multiplexor being arranged for relaying information transmitted by the at least one client and associated with authentication of the at least one client to an authentication server, (Prasad's teachings on Figure 2B, block 2-017, Figure 4A, blocks 4-004 and 4-005. Here the information of the client is relayed to the authentication server)

69. Prasad teaches the limitations of Claim 13 as described above. However Prasad does not explicitly state about the digital subscriber line access multiplexer including a software module according to the IEEE 802.1x standard.

70. Conversely, Addington teaches such a limitation in his telecommunication network which uses a high speed network based on Ethernet technology (Addington's teachings on Column 55, lines 61-67) and the client line multiplexor includes a software module (Column 30, lines 5-6) according to the protocol which is IEEE 802.11b.

71. Addington teaches digital communication network involving subscription services using IP Protocol. Prasad also teaches a telecommunications network

involving subscription services using IP Protocol. Both references teach communication networks using IP Protocols.

72. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Addington with Prasad in order to have enhanced services such as Personal Video Recording (PVR) from the service provider and configuring the service in the host. (Addington's teachings on Column 30, lines 5-10).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CLARENCE JOHN whose telephone number is (571)270-5937. The examiner can normally be reached on Mon - Fri 8:00 am to 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Tonia Dollinger can be reached on 571-272-4170. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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